



Box Seq
I FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Daria ONICHTCHOUK et al.

Examiner: Unassigned

Serial No.: 10/564,769

Group Art Unit: Unassigned

Filed: January 17, 2006

Title: USE OF PLEITROPHIN FOR PREVENTING AND TREATING PANCREATIC
DISEASES AND/OR OBESITY AND/OR METABOLIC SYNDROME

REQUEST FOR WITHDRAWAL OF IMPROPER HOLDING OF ABANDONMENT

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In view of the following documents, it is unambiguous that Applicants filed a complete response to the missing parts notice dated April 11, 2006. This response was filed on June 12, 2006.

Attached is a copy of the firm's Official PTO filing record notebook for the day of June 12, 2006. Listed in association with the firm's docket number for the above-identified application, "Weickm-0053," is the entry "NTFMR; Decl & POA; Assign; Ck#37127 \$40.00; Record Cover Sheet; Seq. listing w/disk ck#37126 \$65.00." This means that being filed is a response to the notice to file missing requirements; a declaration and a power of attorney; an

assignment (ck#37127 for \$40.00); a recordation cover sheet for the assignment; a sequence listing with disk along with ck#37126 for \$65.00.

The initials in our rightmost margins refer to various personnel who have checked the filing to be sure all papers were present.

Further evidence that these papers were filed is the accompanying PTO Notice of Recordation of Assignment document. This notes a recordation date of June 15, 2006, consistent with the filing of the papers on June 12, 2006.

Further evidence that the papers were filed is the fact that both checks mentioned in the firms PTO docket entry book were cashed by the PTO. See the accompanying papers which establish this fact.

Accordingly, more than sufficient evidence is believed to be provided, whereupon the PTO should withdraw the holding of abandonment as improper and restore this application to pending status in view of the accompanying papers, which are identical to those previously filed.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

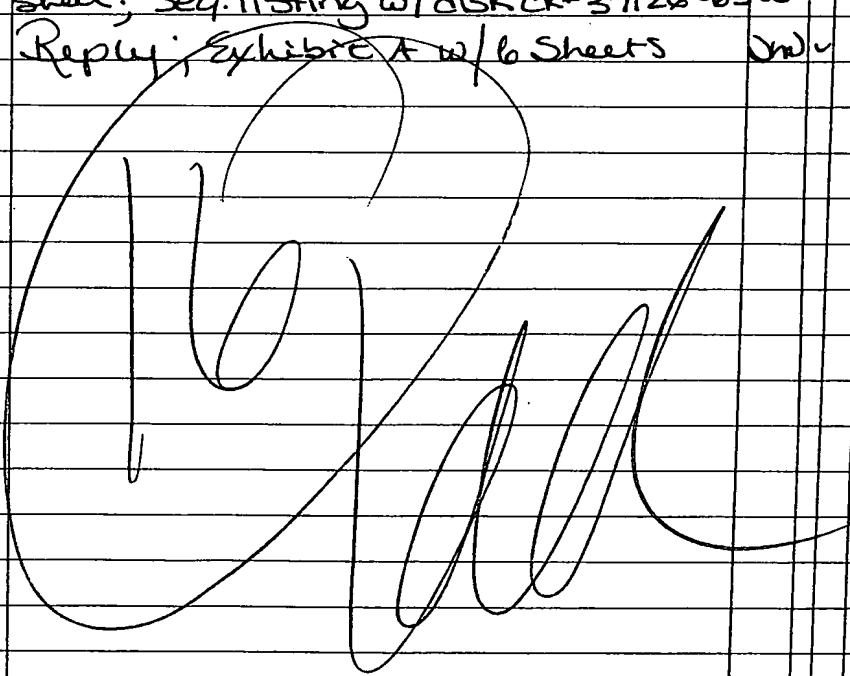
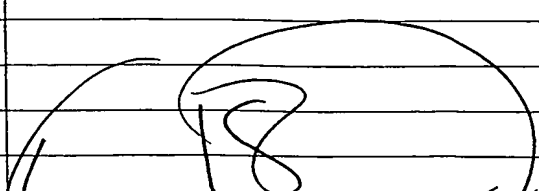
/Anthony J. Zelano/

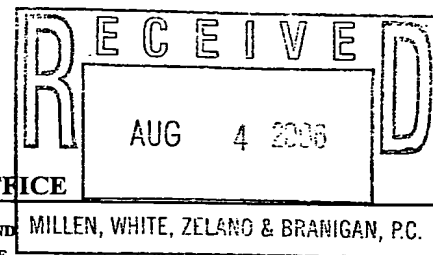
Anthony J. Zelano, Reg. No. 27,969
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: WEICKM-0053

Date: August 4, 2008
AJZ:pdv

H/c	Case No.	Papers Filed	See Y/N	Ref
NO	PROVIN-0001-A-CU1	IDS; PTO 1449; 1 ref	✓	DD
NO	PROVIN-0002-A	IDS; PTO 1449; 1 ref CL#30983 \$180.00	✓	DD
NO	GKSS-0004	Notice of Appeal 2mo EDT CL 950.00 30984	✓	DD
NO	UNIMO-11	NEW USNP; Transmittal; Appl. (700 pgs); IDS; PTO-1449; CL # 37123 \$825-	SR ✓	DD
NO	Ocopy 1	class. fee & Pub. fee \$1000 # 37133	✓	DD
NO	Exes 1C1	Reply	✓	DD
NO	Ex 1714 A D1	Reply & ED(1) \$250 # 37134	✓	DD
NO	Emic-0054	NOA; 2mo EDT; CL # 37168 37167	✓	DD
NO	Bayer-001001	Reply; 1mo EDT; CL # 36880	✓	DD
NO	MERCK-2868	Reply	✓	DD
NO	MERCK-2904	Poly Ext. Reply w/CL #450.00	✓	DD
NO	MERCK-3177	New USNP; transmittal; Appl. (110 pgs) Prelim Am; Decl; Assign; IDS; PTO-1449; CL # 37124 \$1000; CL # 37125 \$40	SR ✓	DD
NO	Merck-2975	Ntc. to comply; seq listing w/ disk	apl	DD
NO	Merck-3171	IDS w/ PTO-1449	apl	DD
NO	Weidm-53	NTFHR; Decl & PQA; Assign; Record. cover sheet; Seq. listing w/ disk CL # 37126 \$65.00	apl	DD
NO	Royal-4	Reply; Exhibit A w/ 6 Sheets	WV ✓	DD
				
A5 w/ cover	Merck-3183	New US; Transmittal; Prelim Am; App (25 pgs) Pri. doc w/ transmittal; IDS; PTO-1449	SR ✓	
A5 w/ cover	MERCK-2647	Preliminary Amendment in Resp. to Notice of Non-compliant amendment	HW ✓	
				



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JULY 26, 2006

PTAS

MILLEN, WHITE ZELANO & BRANIGAN, P.C.
ARLINGTON COURT PLAZA I
SUITE 1400
2200 CLARENDON BLVD.
ARLINGTON, VA 22201



103261547A

Wickm-53

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 06/15/2006 ✓

REEL/FRAME: 018001/0835 ✓
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ONICHTCHOUK, DARIA

DOC DATE: 02/20/2006

ASSIGNOR:

BURK, ULRIKE

DOC DATE: 02/13/2006

ASSIGNEE:

DEVELOGEN AKTIENGESELLSCHAFT
MARIE-CURIE-STR. 7
GOETTINGEN, GERMANY 37079

SERIAL NUMBER: 10564769 ✓

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: USE OF PLEITROPHIN FOR PREVENTING AND TREATING PANCREATIC DISEASES
AND/OR OBESITY AND/OR METABOLIC SYNDROME

018001/0835 PAGE 2

SHARON LATIMER, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

RECORDATION FORM COVER
PATENTS ONLY

06-21-2006

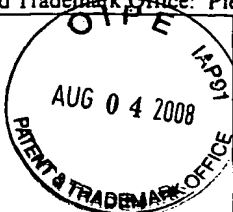


103261547

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below..

1. Name of conveying party(ies):

Daria ONICHTCHOUK
Ulrike BURK



2. Name and address of receiving party(ies):

Name: DeveloGen Aktiengesellschaft

Street Address: Marie-Curie-Str. 7

City: Goettingen

State: GERMANY

Zip: 37079

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance/Execution Date(s):

Execution Date(s): February 20, 2006; February 13, 2006

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other

Additional names(s) or address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s): ☐ This document is being filed together with a new application.

A. Patent Application No.(s)

B. Patent No.(s)

06/15/2006 MKAYPASH 00000038 10564796

02 FC:821

(40.00 DP) Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Address: Arlington Court Plaza I
Suite 1400
2200 Clarendon BLVD.
Arlington, VA 22201
Phone: (703) 243-6333
Fax: (703) 243-6410
E-Mail: mail@mwzb.com

6. Total number of applications and patents involved: 1

7. Total fee (37CFR 1.21(h) AND 3.41) \$40.00

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

- a) Credit Card Last 4 Numbers
Expiration Date
b) Deposit Account Number 13-3402
Authorized User Name

9. Signature.

Signature

[Handwritten Signature] 50908
10. 117

Anthony J. Zelano

Date

Anthony J. Zelano

Name of Person Signing

Attorney Docket No. WEICKM-53

Total number of pages including cover sheet, attachments, and documents 2

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.

PATENT OFFICE FEES ACCOUNT
2200 CLARENDON BOULEVARD, SUITE 1400
ARLINGTON, VIRGINIA 22201

BRANCH BANKING AND TRUST COMPANY
ARLINGTON, VIRGINIA
68-426/514

37127

6/12/2006

PAY TO THE
ORDER OF **COMMISSIONER OF PATENTS AND TRADEMARKS**

40.00

\$

Forty & No/100 Dollars

DOLLARS

WEICKM-0053

MEMO

BRANCH BANKING AND TRUST COMPANY
ARLINGTON, VIRGINIA
68-426/514

37126

6/12/2006

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.

PATENT OFFICE FEES ACCOUNT
2200 CLARENDON BOULEVARD, SUITE 1400
ARLINGTON, VIRGINIA 22201

PAY TO THE
ORDER OF **COMMISSIONER OF PATENTS AND TRADEMARKS**

65.00

\$

Sixty-Five & No/100 Dollars

DOLLARS

WEICKM-0053

MEMO

PATENT AND TRADEMARK OFFICE
13-10-0001
06-15-2006
FOR CREDIT TO THE
U.S. TREASURY

0811968501
HACHOVIA NA SVC071 00791
PHILA, PA 06192006 24PK

5200143575
#3441
PK1005
06202006

0811968502
HACHOVIA NA SVC071 00791
PHILA, PA 06192006 24PK

5200143576
#3441
PK1005
06202006

PATENT AND TRADEMARK OFFICE
13-10-0001
06-15-2006
FOR CREDIT TO THE
U.S. TREASURY



SEQUENCE LISTING

<110> DeveloGen AG für entwicklungsbiologische Forschung

<120> Use of a DG001 secreted protein product for preventing and treating pancreatic diseases and/or obesity and/or metabolic syndrome

<130> 31160PWO_GE

<140> PCT/EP2004/007917

<141> 2004-07-15

<150> EP03016169.9

<151> 2003-07-16

<160> 5

<170> PatentIn Ver. 2.1

<210> 1

<211> 1300

<212> DNA

<213> human

<220>

<221> gene

<222> (1)..(1300)

<223> nucleic acid sequence encoding the human DG001 protein

<400> 1

```
ctctccctcc ctcgccagc cttcgtctc ctggcccgt cctctcatcc ctcccattct 60
ccatttcct tccgttcct cctgtcagg gcgtaattga gtcaaaggca ggatcagggt 120
ccccgccttc cagtccaaaa atcccgccaa gagagcccca gagcagagga aaatccaaag 180
tgagagagag ggaagaaaga gaccagttag tcatccgtcc agaaggcggg gagagcagca 240
gcggcccaag caggagctgc agcgagccgg gtacctggac tcagcggtag caacctcgcc 300
ccttgcaaca aaggcagact gagcgccaga gaggacgttt ccaactcaaa aatgcaggct 360
caacagtacc agcagcagcg tcgaaaattt gcagctgcct tcttggcatt cttttcata 420
ctggcagctg tggatactgc tgaagcaggg aagaaagaga aaccagaaaa aaaagtgaag 480
aagtctgact gtggagaatg gcagtggagt gtgtgtgtgc ccaccagtgg agactgtggg 540
ctgggcacac gggagggcac tcggactgga gctgagtgca agcaaacccat gaagaccag 600
agatgtaaga tcccctgcaa ctggaagaag caatttggcg cggagtgcaa ataccagttc 660
caggcctggg gagaatgtga cctgaacaca gccctgaaga ccagaactgg aagtctgaag 720
cgagccctgc acaatgccga atgccagaag actgtcacca tctccaagcc ctgtggcaaa 780
ctgaccaagc ccaaacctca agcagaatct aagaagaaga aaaaggaagg caagaaacag 840
gagaagatgc tggattaaaa gatgtcacct gtggaacata aaaaggacat cagcaaacag 900
gatcagttaa ctattgcatt tatatgtacc gtaggctttg tattcaaaaa ttatctatag 960
ctaagtacac aataagcaaa aacaaaaaga aaagaaaatt tttgtagtag cgttttttaa
1020
atgtatacta tagtaccagt aggggcttat aataaaggac tgtaatctta tttaggaagt
1080
tgacttatag tacatgataa atgatagaca attgaggtaa gttttttgaa attatgtgac
1140
attttacatt aaattttttt tacatttttt gggcagcaat ttaaattgta tgactatgta
1200
aactacttct cttgttaggt aatttttttc acctagattt ttttcccaat tgagaaaaat
1260
atatactaaa caaaaaaaaaa aaaaaaaaaa aaaaaaaaaa
1300
```

<210> 2

<211> 168

<212> PRT

<213> human

<220>

<223> amino acid sequence of human DG001 protein

<400> 2

```
Met Gln Ala Gln Gln Tyr Gln Gln Gln Arg Arg Lys Phe Ala Ala Ala
 1          5          10          15
Phe Leu Ala Phe Ile Phe Ile Leu Ala Ala Val Asp Thr Ala Glu Ala
 20          25          30
Gly Lys Lys Glu Lys Pro Glu Lys Lys Val Lys Lys Ser Asp Cys Gly
 35          40          45
Glu Trp Gln Trp Ser Val Cys Val Pro Thr Ser Gly Asp Cys Gly Leu
 50          55          60
Gly Thr Arg Glu Gly Thr Arg Thr Gly Ala Glu Cys Lys Gln Thr Met
 65          70          75          80
Lys Thr Gln Arg Cys Lys Ile Pro Cys Asn Trp Lys Lys Gln Phe Gly
 85          90          95
Ala Glu Cys Lys Tyr Gln Phe Gln Ala Trp Gly Glu Cys Asp Leu Asn
100          105          110
Thr Ala Leu Lys Thr Arg Thr Gly Ser Leu Lys Arg Ala Leu His Asn
115          120          125
Ala Glu Cys Gln Lys Thr Val Thr Ile Ser Lys Pro Cys Gly Lys Leu
130          135          140
Thr Lys Pro Lys Pro Gln Ala Glu Ser Lys Lys Lys Lys Lys Glu Gly
145          150          155          160
Lys Lys Gln Glu Lys Met Leu Asp
165
```

<210> 3

<211> 22

<212> DNA

<213> Artificial Sequence

<220>

<223> Description of Artificial Sequence: primer 5'-3

<220>

<223> mouse DG001 forward primer

<400> 3

caagtaccag ttccaggctt gg

22

<210> 4

<211> 17

<212> DNA

<213> Artificial Sequence

<220>

<223> Description of Artificial Sequence: primer 5'-3

<220>

<223> mouse DG001 reverse primer

<400> 4
gctcgcttca ggctgcc

17

<210> 5
<211> 30
<212> DNA
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence: probe

<220>
<223> mouse DG001 Taqman probe

<400> 5
tgacctcaat accgccttga agaccagaac

30